**DOCKET NO.:** WARF-0038 (P98003US)

**Application No.:** 09/463,510

Office Action Dated: June 3, 2003

PATENT REPLY FILED UNDER EXPEDITED PROCEDURE PURSUANT TO

37 CFR § 1.116

This listing of claims will replace all prior versions, and listings, of claims in the application.

## **Listing of Claims:**

1. (Currently amended) A late blight-resistant potato plant comprising a segment of chromosome 8 of the genome from *Solanum bulbocastanum* which comprises a gene that confers said resistance to late blight, wherein the gene conferring the late blight resistance cosegregates with a marker comprising a DNA segment that hybridizes with one or more of SEQ ID NOS: 1, 2, 3, 4 or 5, or the complements thereof selected from the group consisting of a GO2<sub>586</sub> RAPD marker, a PO9<sub>587</sub> RAPD marker, a CT88 RFLP marker, a CT148 RFLP marker, a CT252 RFLP marker and a CT68 RFLP marker.

- 2. Canceled.
- 3. Canceled.
- 4. Canceled.
- 5. (Currently amended) The potato plant of claim 1, which is also resistant to at least one additional disease selected from the group consisting of potato early blight, *Erwinia* soft rot, and *Verticillium* wilt.
- 6. (Original) The potato plant of claim 1, wherein the late blight resistance gene is incorporated into the plant by somatic hybridization between a cell of a parent of the plant and a cell of *Solanum bulbocastanum*.
  - 7. Canceled.
- 8. (Previously presented) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:5, or a nucleotide sequence complementary thereto.

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9. (Previously presented) A vector comprising the nucleic acid molecule of claim 8.

10-15. Canceled.

- 16. (Previously presented) A late blight-resistant potato plant that is a backcross progeny of a somatic hybrid of *Solanum tuberosum* and *Solanum bulbocastanum*, wherein the plant comprises a segment of chromosome 8 of the *Solanum bulbocastanum* genome having a gene that confers the late blight resistance.
- 17. (Currently amended) The potato plant of claim 16, wherein the gene conferring the late blight resistance co-segregates with a marker comprising a DNA segment that hybridizes with one or more of SEQ ID NOS: 1, 2, 3, 4 or 5, or the complements thereof selected from the group consisting of a GO2<sub>586</sub> RAPD marker, a PO9<sub>587</sub> RAPD marker, a CT88 RFLP marker, a CT148 RFLP marker, a CT252 RFLP marker and a CT68 RFLP marker.
  - 18. Canceled.
- 19. (Currently amended) The potato plant of claim 16, which is also resistant to at least one additional disease selected from the group consisting of potato early blight, *Erwinia* soft rot, and *Verticillium* wilt.